

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Donald E. Walter	Sitting Judge if Other than Assigned Judge	Geraldine Soat Brown
CASE NUMBER	09 C 243	DATE	4/24/2012
CASE TITLE	Allen vs. City of Chicago, Treasurer's Office		

DOCKET ENTRY TEXT

Hearing held on objections to exhibits and witnesses. The rulings on the objections are set out below. All matters relating to the referral of this matter having been concluded, the referral is closed and the case returned to the assigned judge.

■ [For further details see text below.]

Notices mailed by Judicial staff.
*Copy to judge/magistrate judge.

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Exhibit Rulings

EXHIBIT NUMBER	RULING ON OBJECTION
Plaintiff's Exhibit 5	Exhibit withdrawn
Plaintiff's Exhibit 6	Objection withdrawn
Plaintiff's Exhibit 10	Relevance objection overruled without prejudice to renewing objection at trial
Plaintiff's Exhibit 16	Hearsay objection overruled; defendant may propose a limiting instruction
Plaintiff's Exhibit 20	Handwriting will be redacted
Plaintiff's Exhibit 25	Objection withdrawn based on redactions.
Plaintiff's Exhibit 34	Relevance objection overruled without prejudice to renewing objection at trial.
Plaintiff's Exhibit 38	Relevance objection overruled without prejudice to renewing objection at trial. Plaintiff will remove confidential information from

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	final exhibit.
Plaintiff's Exhibit 47	Relevance objection overruled without prejudice to renewing objection at trial.
Plaintiff's Exhibit 52	Exhibit withdrawn
Plaintiff's Exhibit 59	Relevance objection overruled without prejudice to renewing objection at trial. Foundation objection : Overruled
Plaintiff's Exhibit 66	Relevance objection overruled without prejudice to renewing objection at trial. Hearsay objection: Sustained as to document bates numbered D 9942
Plaintiff's Exhibit 67	Relevance objection overruled without prejudice to renewing objection at trial. Hearsay objection sustained to D201
Plaintiff's Exhibit 68	Relevance objection overruled without prejudice to renewing objection at trial.
Defendant's Exhibit 2	Plaintiff will prepare and submit a complete copy of the City of Chicago Personnel Rules as Plaintiff's
Exhibit 69	Defendant may use Defendant's Exhibits 2 and 3 as Excerpts from those rules. Relevance objection overruled without prejudice to renewing objection at trial. To the extent that plaintiff believes the Rules are contrary to law, plaintiff may request a limiting instruction informing the jury that the judge will instruct the jury on the law.
Defendant's Exhibit 3	Same ruling as for Defendant's Exhibit 2.
Defendant's Exhibit 7	Relevance objection: Overruled Foundation objection: Overruled
Defendant's Exhibit 8	Group Nature: Overruled Hearsay: Overruled Objection based on redactions is withdrawn because defendant submits unredacted exhibit. Parties will comply with ruling on motion in limine barring reference to Mr. Whitner's ADA lawsuit against the City.

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Defendant's Exhibit 9	Relevance objection: Overruled. Foundation objection: Overruled provided that witness Stephanie Neely will authenticate the highlighting. Plaintiff may request a limiting instruction on highlighting.
Defendant's Exhibit 10	Relevance objection overruled without prejudice to renewing objection at trial
Defendant's Exhibit 12	Relevance objection overruled without prejudice to renewing objection at trial Personal Knowledge objection: Overruled.
Defendant's Exhibit 13	Relevance objection overruled without prejudice to renewing objection at trial : Parties agree to eliminate all irrelevant e-mail messages from the exhibits.
Defendant's Exhibit 14	Relevance objection overruled without prejudice to renewing objection at trial . Parties will discuss all e-mail exhibits
Defendant's Exhibit 15	Relevance: Overruled w/o prejudice- trial judge instruct on law. Defendant will submit unredacted exhibit.
Defendant's Exhibit 16	Relevance objection overruled without prejudice to renewing objection at trial : Parties agree to eliminate all irrelevant e-mail messages from the exhibits.
Defendant's Exhibit 17	Relevance objection overruled without prejudice to renewing objection at trial : Parties agree to eliminate all irrelevant e-mail messages from the exhibits.
Defendant's Exhibit 28	Relevance objection overruled without prejudice to renewing objection at trial.

Witness Rulings

The parties have set out their positions on witnesses in their Joint Status Report. [Dkt 144.]

Plaintiff has no objections to Defendant's witnesses.

Defendant has no objections to Plaintiff's "will call" witnesses.

Defendant's objections to Plaintiff's "may call" witnesses are ruled upon as follows:

Defendant's objections to certain witnesses on the basis that the witness's testimony would be cumulative are

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overruled without prejudice to renewing that objection if and when the witness is called at trial.

Defendant's objection Gwendolyn Dunbar is overruled; however, Plaintiff's questioning of Ms. Dunbar shall comply with the ruling on Motion in Limine # 6.

Defendant's objection to Frank Bello on the ground that his testimony would be hearsay is overruled without prejudice to any hearsay objections Defendant may make at trial.

Defendant's objection to Anthony Spraggin is overruled; however, Plaintiff's questioning of Mr. Spraggin shall comply with the ruling on Motion in Limine #7. The parties shall continue to discuss whether a stipulation can be reached to make Mr. Spraggin's testimony unnecessary.

Defendant's objection to Robert Keller is sustained. Mr. Keller's proposed testimony is barred by the ruling on Motion in Limine #7, and Plaintiff may not call him to testify at the trial.